

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Commercial Taxes Department - Sri K. Narayana Murthy, Assistant Commercial Tax Officer (Retd.) - Found guilty by the Tribunal for Disciplinary Proceedings in a case of demanding and acceptance of bribe - Punishment of withholding of pension and gratuity in full permanently imposed - Filed O.A. No.6649 of 2009 - Punishment reduced from withholding the entire pension to that of withholding of 50% pension permanently - Implementation of Orders of APAT - Revised Orders - Issued.

REVENUE (VIG.I) DEPARTMENT

G.O.(Rt.) No.553.

Dt: 10.05.2011.

Read the following:-

- 1) G.O. Rt. No.1997, Revenue (Vig.I) Department, dt.09.09.2006.
- 2) Hon'ble APAT Orders, dt.08.12.2009 in O.A. No.6649 of 2006 filed by Sri K. Narayana Murthy, ACTO (Retd.).
- 3) Govt. Memo.No.31532/Vig.I(2)/2002-13, dated:01.12.2009.
- 4) Govt. Memo No.1594/Vig.I(2)/2010-3, dt.28.07.2010.
- 5) Hon'ble High Court Orders, dt.07.10.200 in W.P. No.23577 of 2010.
- 6) Govt. Letter No.1594/Vig.I(2)/2009-4, dt.20.01.2011.
- 7) Special Officer I/c. O/o. the Advocate on Record, AP Bhavan, New Delhi, Lr.No.APLC/SO/SA(VS)CT.1520/2011,dt:08-02-2011.
- 8) Hon'ble Supreme Court of India, Orders in CC No.3099/2011, dt.25.02.2011.

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ORDER:

In the reference 1st read above, a punishment of withholding of pension and gratuity in full permanently was imposed against Sri K. Narayana Murthy, Assistant Commercial Tax Officer (Retd.), under Rule 9 of A.P. Revised Pension Rules, 1980, as he was found guilty by the Tribunal for Disciplinary Proceedings in a case of moral turpitude of demanding and acceptance of bribe.

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2) Aggrieved by the above, Sri K. Narayana Murthy, Assistant Commercial Tax Officer (Retd.) has approached the Hon'ble A.P. Administrative Tribunal by filing O.A. No.6649 of 2009.

3) And whereas, in the reference 2nd read above, the Hon'ble A.P. Administrative Tribunal, Hyderabad, while confirming the guilt of the applicant in respect of the allegations made in the charge memo, allowed the OA in part and reduced the punishment of withholding of entire pension to one of withholding of 50% pension for ever.

4) And whereas, in the reference 3rd read above, instructions were issued to the Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad to recover an amount of Rs.6,93,994/- for the loss caused to Government from Sri K.Narayana Murthy, Assistant Commercial Tax Officer (Retired) together with interest thereon under Revenue Recovery Act as per the G.O.Ms.No.1097, Finance (Finance & Planning) Department, dt.22.06.2000 and furnish the article of charges against Sri B.Seetaramaiah, the then Commercial Tax Officer, Ramachandrapuram, immediately to Government for his negligent attitude in disbursing the pensionary benefits to Sri K.Narayana Murthy, Assistant Commercial Tax Officer (Retired), though the ACB Trap case is pending against him.

5) And whereas, a Writ Petition was filed against the orders of Hon'ble Administrative Tribunal. The Hon'ble High Court vide reference 5th read above, has dismissed the Writ Petition filed by the Government observing that there are no reasons to interfere with the orders of APAT.,

6) And whereas in the reference 6th read above, the Advocate on Record, New Delhi was requested to file Special Leave Petition against the Orders of the A.P. Administrative Tribunal and accordingly, the Advocate on Record has filed a Special Leave Petition before the Hon'ble Supreme Court of India against the orders of A.P. Administrative Tribunal, dt.08.12.2009 in O.A. No.6649 of 2006.

7) And whereas in the reference 8th read above, the Hon'ble Supreme Court of India has dismissed the Special Leave Petition filed by the Government.

8) Government, after careful examination of the matter in detail, hereby decided to implement the orders of the Hon'ble A.P. Administrative Tribunal, which have become final, and accordingly hereby reduce the punishment imposed of withholding of full pension permanently on Sri K. Narayana Murthy, Assistant Commercial Tax Officer (Retd.) to that of withholding of 50% of pension permanently. However, the order issued in reference 1st read above

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in respect of with holding of entire DCRG of Sri K Narayana Murthy, ACTO(Retd) would stand. Consequently the DCRG ,wrongly released to him, and already ordered for recovery vide reference 3rd read above under the Revenue Recovery Act would good.

9) The Commissioner of Commercial Taxes shall take necessary further in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri K. Narayana Murthy, Assistant Commercial Tax Officer (Retd.)

Through the Commissioner of Commercial Taxes, A.P., Hyderabad.

The Commissioner of Commercial Taxes, A.P., Hyderabad.

Copy to:-

The District Treasury Officer, East Godavari District at Kakinada.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, A.P., Hyderabad.

The Secretary, APVC., Secretariat, Hyderabad

The Government Pleader for Revenue (Services), APAT., Hyderabad.

The Registrar, APAT., Hyderabad

File/SF/SCs.

//Forwarded :: By Order //

SECTION OFFICER.